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1. A tamper evident snap-hinged closure, comprising:
a body portion that is constructed and arranged to be secured to a container;
a lid portion;
a hinge portion that is attached to said body portion and said lid portion so as to permit said lid portion to be opened from and closed on to said body portion after said closure is first opened; and
at least one tamper evident band mechanically securing said lid portion to said body portion at a position that is distal from said hinge portion, said tamper evident band being unitary at a first location with said body portion and further being unitary at a second location with said lid portion, whereby said closure may not be opened without defeating said tamper evident band, and wherein said tamper evident band is designed to remain attached to at least one of said body portion and said lid portion upon opening of said closure.
2. A tamper evident hinge type closure according to claim 1, wherein said body portion is constructed and arranged to be screwed on to a container, and wherein said body portion further comprises a tamper evident band that is constructed and arranged to become separated from said body portion when said body portion is unscrewed from the container.
3. A tamper evident hinge type closure according to claim 1, wherein said hinge portion comprises an articulated hinge that is constructed and arranged to retain said lid portion in a retracted position with respect to said body portion after opening so as to minimize interference with a consumer who is drinking from the container.
4. A tamper evident hinge type closure according to claim 1, wherein said body portion further comprises a drinking spout that is constructed and arranged to facilitate drinking from the container.

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5. A tamper evident hinge type closure according to claim 1, comprising gripping structure defined on at least one of said body portion and said lid portion for facilitating gripping by a consumer in a direction that is necessary to defeat said tamper evident band during opening.
6. A tamper evident hinge type closure according to claim 5, wherein said gripping structure comprises a gripping projection that is defined on said lid portion.
7. A tamper evident hinge type closure according to claim 6, wherein said gripping projection is shaped and sized to be engaged by a single digit of a consumer.
8. A tamper evident hinge type closure according to claim 7, wherein said gripping projection is shaped and sized to be engaged by a thumb of a consumer.
9. A tamper evident hinge type closure according to claim 6, wherein said gripping projection is positioned substantially above said tamper evident band so as to place stress on said tamper evident band when lifted.
10. A tamper evident hinge type closure according to claim 1, wherein said at least one tamper evident band comprises a plurality of tamper evident bands.
11. A tamper evident hinge type closure according to claim 1, wherein said tamper evident band is fused to said body portion at said first location.
12. A tamper evident hinge type closure according to claim 11, wherein said tamper evident band is sonically fused to said body portion at said first location.
13. A tamper evident hinge type closure according to claim 1, wherein said tamper evident band comprises an area of predetermined frangibility at which failure is designed to occur during opening.

21. A tamper evident snap-hinged closure, comprising:

a body portion that is constructed and arranged to be secured to a container, said body portion comprising a drinking spout that is constructed and arranged to facilitate drinking from the container.;

a lid portion;

a hinge portion that is unitary with said body portion and said lid portion so as to permit said lid portion to be opened from and closed on to said body portion in order to selectively open and close said drinking spout after said closure is first opened; and

at least one tamper evident band mechanically securing said lid portion to said body portion at a position that is distal from said hinge portion, said tamper evident band being unitary at a first location with said body portion and further being unitary at a second location with said lid portion, whereby said closure may not be opened without defeating said tamper evident band.

REMARKS

This amendment is submitted in response to the Office Action dated January 29, 2003. After entry of this amendment, claims 1-13 and 21 will be pending in the application. Reconsideration and allowance is respectfully requested in view of the remarks made below.

1. *The Non-Elected Claims*

Applicant has canceled nonelected claims 14-20 in order to expedite prosecution of this Application.

2. *The §112, Second Paragraph Rejection*

Original claims 1-13 were rejected under §112, second paragraph, because the phrase "hinge type" was felt to render the claims indefinite. In response to the rejection, Applicant has amended the language to --snap-hinged-- which is consistent with the original